



TITLE: Changes to American Avenue

DATE: 8/13/2018

PROJECT: Construction Package No. 1

CONTRACT NO: HSR 13-06

CONTRACTOR: Attn: Ghassan Ariqat
Tutor Perini/Zachry/Parsons, a Joint Venture
1401 Fulton Street
Suite 400
Fresno, CA 93721

DESCRIPTION OF CHANGE:

In accordance with Special Provisions Section 8.1.2, "Fresno to Bakersfield", this Change Order provides compensation for an increase in the design and construction cost for a longer structure to span the High-Speed Train Spur Track to the potential Heavy Maintenance Facility based on changes from the Final Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) for Fresno to Bakersfield as compared to the Revised Draft EIR/EIS.

This change provides additional compensation to construct cast-in-place abutments in lieu of a short seat abutments with Mechanically Stabilized Earth (MSE) retained fill as a result of the requirement to implement the Union Pacific Railroad-BNSF Railway Guidelines for Railroad Grade Separation Projects, dated May 2016.

EXTRA WORK AT AGREED LUMP SUM:

For this work, the Contractor shall be paid the agreed lump sum of \$9,497,470.00. This lump sum constitutes full and complete compensation from the California High-Speed Rail Authority for providing those services, labor, materials, equipment, tools and incidentals, necessary to implement the change described above.

All markups related to this Change Order are expressly reserved by the Authority and Contractor, and any potential adjustment shall be addressed in accordance with the Contract provisions.

This lump sum price does not include transportation or disposal of soil from the Jensen Trench originally planned to be used at the embankments of the American Avenue grade separation. Adjustments for Jensen Trench earthwork transportation and disposal, if any, are reserved by the Authority and the Contractor, and shall be addressed in accordance with the Contract provisions.

This change assumes a round trip haul time of one hour for importing embankment at American Avenue (no location specified). Any adjustment in compensation, by way of an increase or deduction based on actual import cycle times are reserved by the Authority and Contractor, and shall be addressed in accordance with the Contract provisions.

This change does not include any design and construction costs associated with bridge maintenance access requirements provided in Directive Letter 00087, "Maintenance Setback for BNSF Right-of-Way".

By execution of this Change Order, the Contractor agrees that no additional compensation shall be paid for the design and construction of the changed conditions at American Avenue as described above unless expressly omitted and/or reserved.

Contractor	California High-Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
			



TITLE: Changes to American Avenue

DATE: 8/13/2018

PROJECT: Construction Package No. 1

CONTRACT NO: HSR 13-06

TIME ADJUSTMENT:

Any delay due to this Change Order shall be evaluated in accordance with the Contract provisions, including Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the General Provisions.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Pay
590	00001	Changes to American Avenue- Construction	1.0	LS	\$9,497,470.00	\$9,497,470.00	0
Total:					\$9,497,470.00		0

Contractor	California High-Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by



TITLE: Changes to American Avenue

DATE: 8/13/2018

PROJECT: Construction Package No. 1

CONTRACT NO: HSR 13-06

Release of Claims

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

Contractor's Sworn Certification

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.


Subcontractor's Sworn Certification(s):

Attached as _____ [Indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

Tutor Perini/Zachry/Parsons, a Joint Venture


Acceptance by Signature 	Ghassan Ariqat - Project Manager/Director	Date 8/23/18
--	---	-----------------

California High-Speed Rail Authority

Submitted by Signature 	Mike Sheffield - D-B Oversight Manager	Date 8/22/18
---	--	-----------------

Recommended by Signature 	Steven Milton - Design & Construction Manager	Date 8/23/18
---	---	-----------------

Recommended by Signature 	Terry Ogle - Director of Design & Construction	Date 8/23/18
---	--	-----------------

Approval by Signature 	Joe Hedges - Chief Operating Officer	Date 8/28/18
--	--------------------------------------	-----------------